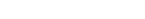


Plaintiff, a state prisoner, filed a pro se civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff did not pay the full filing fee or apply for leave to proceed in forma pauperis, so on May 23, 2008, this Court's clerk sent him a notice that he must either pay the full filing fee or file an in forma pauperis application within thirty days or the case would be dismissed. The deadline has since passed, and plaintiff has not complied.

For the foregoing reasons, this case is DISMISSED without prejudice. Judgment is entered accordingly. The clerk shall close the file.

DATED: August 12, 2008


James Ware
JAMES WARE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

WILLIE WEAVER,

Case Number: CV08-02631 JW

Plaintiff,

CERTIFICATE OF SERVICE

v.

THIRD WATCH, et al.,

Defendants.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 8/18/2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Willie Eugene Weaver J-91389
Pelican Bay State Prison
5905 Lake Earl Drive
P. O. Box 7000
Crescent City, Ca 95531-7000

Dated: 8/18/2008

Richard W. Wiking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk